

**STATE OF VERMONT
BOARD OF MEDICAL PRACTICE**

In Re:)
)
John H. Milhorat) MPC 69-0901
)
Respondent)

VOLUNTARY CESSATION OF PRACTICE AGREEMENT

Now comes John H. Milhorat, M.D. (hereinafter "Respondent") and the State of Vermont, by and through Attorney General William H. Sorrell, and stipulate to the following:

1. Respondent is currently licensed to practice medicine in the State of Vermont, holding license number 042-0005287, issued June 12, 1974. Respondent holds privileges at Central Vermont Hospital and Gifford Memorial Hospital.
2. The Vermont Medical Practice Board (hereinafter "Board") has jurisdiction over this matter pursuant to 26 VSA §§ 1353, 1354 & 1398 and 3 VSA §§ 809 and 814 (c).

BACKGROUND

3. Respondent has determined that he shall temporarily cease any and all practice of medicine. Respondent has determined that he will take a complete leave of absence from his practice responsibilities and privileges and that he will enter into instant agreement with the Board so as to set

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

forth in writing the terms for such voluntary cessation of practice by him and for his return to practice at a later date.

4. Respondent acknowledges he has been advised by counsel. Respondent agrees and understands that by executing this document he is waiving the necessity of proceedings, findings, and an order by the Board, pursuant to 3 VSA §814(c). Respondent voluntarily and knowingly agrees to the terms and conditions herein.
5. The parties fully contemplate that Respondent will be returning to the practice of medicine. The parties understand that by entering into this agreement Respondent is doing so at the recommendation of the State and to be compliant with the State's request. The parties further understand that by entering into this agreement Respondent does not concede to any implication of having to seek medical attention nor does Respondent concede that he requires medical attention.

TERMS AS TO CESSATION OF PRACTICE

6. Respondent agrees that as of the effective date of this order he shall cease any and all practice of medicine, including the prescribing of any substance, in the State of Vermont or elsewhere until such time as: (a) Respondent submits to an evaluation by a Board-approved physician and, if required by the evaluation, submit to treatment with a Board-approved physician; (b) if treatment is required: (i) the Board, in its sole discretion, determines Respondent's medical needs have been addressed and it is safe for him to return to return to the practice of medicine; and, (ii)

Respondent and the Board fully resolve his practice activities, his treatment, and monitoring thereof by the Board.

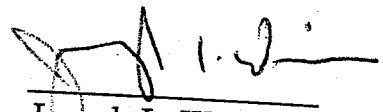
7. Should Respondent require treatment, Respondent agrees he shall in good faith pursue all treatment recommendations or treatment plans as may be directed to him. Respondent shall execute any and all waivers that may be required for the Board to review such documents or plans, as well as any assessments, evaluations, or reports regarding his compliance therewith.
8. Should Respondent's treatment involve more than one physician, he agrees that each physician may communicate freely with any other physician providing treatment and care to the Respondent. Respondent understands and agrees that the Board may: (a) communicate freely and without limitation with each physician; and , (b) obtain and review Respondent's evaluative and treatment records in their entirety upon request. Respondent agrees that he shall execute such waivers or releases as may be required to permit the Board or its agents to receive such information, whether orally or in writing.
9. Respondent agrees that the Board may communicate at any time with any physician and/or practitioner involved in Respondent's treatment and agrees that the Board may require, in its sole discretion, such additional care or evaluation as may be deemed necessary to monitor, assess or support Respondent. Respondent shall bear all costs. Respondent agrees that he shall execute all waivers or releases as may be required to permit

the Board, its staff, or agents to receive any such information, either orally or in writing.

10. Respondent shall full comply with all terms of this Voluntary Cessation of Practice Agreement. Respondent understands and agrees that his compliance with the terms and conditions herein may be considered in any subsequent proceeding before the Board.
11. Respondent agrees he has read and carefully considered all terms and conditions herein and agrees to accept and be bound by these until such time in the future as he may be expressly relieved of these terms and conditions or they are modified, in writing, by the Board. The Board, in its sole discretion, may consider and approve a petition from Respondent at a later date for modification or relief from these conditions, should the circumstances of Respondent's medical condition or recovery so warrant. Respondent expressly agrees that he shall promptly sign any and all consents and/or waivers of confidentiality that may be required so as to permit full and complete disclosure so as to permit the Board to monitor Respondent's ability to practice medicine safely and consider his return to the practice of medicine.
12. The parties agree that this Voluntary Cessation of Practice Agreement shall be a public document, shall be made part of the Respondent's licensing file and may be reported to other licensing authorities including, but not limited to, the National Practitioner Data Base and the Federation of State Medical Boards.

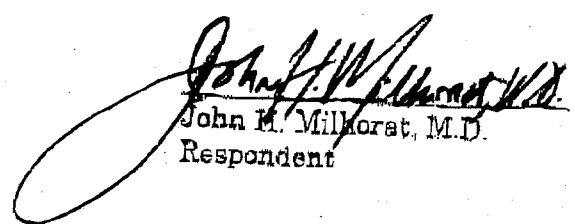
13. This Cessation of Practice Agreement is subject to review and acceptance by the Vermont Board of Medical Practice and shall not become effective until presented to and approved by the Board. If the Board rejects any part of this agreement, the entire agreement shall be considered void. The parties agree and request that the Board enter an order adopting the terms and conditions set forth herein. Respondent agrees that the Board shall retain jurisdiction to enforce as necessary the terms and conditions herein, pursuant to 26 VSA §1854 (25), or other statutory authority.
Dated at Montpelier, Vermont this 4th day of February, 2003.

WILLIAM SORRELL
ATTORNEY GENERAL
STATE OF VERMONT
BY



Joseph L. Winn
Assistant Attorney General

Dated at BARRÉ, Vermont this 4th day of February, 2003.



John M. Milhorat, M.D.
Respondent

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05602

FOREGOING, AS TO JOHN H. MILHORAT, M.D.,
APPROVED AND ORDERED, VERMONT BOARD
OF MEDICAL PRACTICE:

<u>Lewis C Blowers</u>	<u>W. Wallace JMD</u>
<u>Steven L. Nival</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>DAK</u>
<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>

DATED: February 5, 2003

ENTERED & EFFECTIVE: February 5, 2003